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**JUN 20 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Neveu, et. al.	:	DECISION ON REQUEST
Application No. 09/773,452	:	TO WITHDRAW FROM
Filed: January 31, 2001	:	RECORD
Attorney Docket No. 37090-2002	:	

This is a decision on the request to withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed on March 9, 2006.

The request to withdraw as attorney or agent is **NOT APPROVED** as moot.

A review of the file record indicates that the power of attorney to all the attorneys or agents of record have been revoked by the assignee of the patent application. Accordingly, the request to withdraw under 37 CFR § 1.36(b) is moot.

The correspondence address of record has been changed and the new correspondence address is the address indicated below.

There is an outstanding Office action mailed March 16, 2006, that requires a response from the applicant.

Telephone inquiries concerning this decision should be directed to Andrea Smith at (571) 272- 3226.

Andrea Smith  
Petitions Examiner  
Office of Petitions

Conferee:

cc: CARR & FERRELL, LLP  
2200 GENG ROAD  
PALO ALTO, CA 94303



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**JUN 20 2006**  
**OFFICE OF PETITIONS**

In re Application of :  
Neveu, et. al. :  
Application No. 09/773,452 : ON PETITION  
Filed: January 13, 2001 :  
Attorney Docket No. PA3656US :

This is a decision on the petition under 37 CFR 1.137(b), filed May 3, 2006, to revive the above-identified application.

The petition is **DISMISSED AS MOOT**.

A review of the record fails to show that the application was abandoned. A final Office action was mailed on September 24, 2004. In response, on January 26, 2005 a Notice of Appeal was filed. However, on June 20, 2005, a Request for Continued Examination (RCE) under 37 CFR 1.114 was filed, including an appropriate three (3) month extension of time. Since the RCE was filed within the time period for filing an appeal brief, the appeal was dismissed and examination continued.

In view of the above, the instant petition and \$1,500 petition fee are unnecessary will be refunded to petitioner, by Treasury Check, in due course.

If petitioner finds that his/her records indicate that this application should be abandoned for any reason, he/she must notify the Office immediately.

This application file is being referred to Technology Center Art Unit 3714, to await a response to the final Office action mailed March 16, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith  
Petitions Examiner  
Office of Petitions